

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

LEON WEINGRAD, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

IBAN GLOBAL LLC

and

LIVEFREE EMERGENCY RESPONSE,  
INC. D/B/A LIFE BEACON

Defendants.

Case No. 24-4212

**JURY TRIAL DEMANDED**

**REQUEST FOR CLERK'S ENTRY OF DEFAULT AGAINST DEFENDANTS  
IBAN GLOBAL LLC AND LIVEFREE EMERGENCY RESPONSE, INC.**

COMES NOW Plaintiff Leon Weingrad, by and through the undersigned counsel, pursuant to FED. R. CIV. P. 55(a), and hereby files this Motion for Clerk's Entry of Default against Defendants IBAN Global LLC and Livefree Emergency Response, Inc. in the above-styled action. Plaintiff respectfully requests that the Clerk of Court enter default as the Defendants has failed to serve or file an answer to Plaintiff's claims in this action within the time permitted by law or otherwise.

Moreover, counsel for Plaintiff called the owner of Defendant IBAN, Kevin Quinton, on September 10, 2024, to ascertain the reason for the overdue response. Mr. Quinton refused to state when or if he would respond to the lawsuit, got argumentative with counsel for the Plaintiff, and then hung up.

Federal Rule of Civil Procedure 12(a), entitled "Time to Serve a Responsive Pleading," provides in pertinent part that "[a] defendant must serve an answer within 21 days after being

served with the summons and complaint.” FED. R. CIV. P. 1(a)(1)(A)(i). Federal Rule of Civil Procedure 55(a), entitled “Entering a Default,” provides that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk *must* enter the party’s default.” FED. R. CIV. P. 1(a)(1)(A)(i) (emphasis added).

Here, the Plaintiff filed his Complaint on August 14, 2024. (See ECF No. 1.) Defendants IBAN Global LLC and Livefree Emergency Response, Inc. were served at the same address with the Summons and Complaint on August 19, 2024. (See ECF No. 3.) Accordingly, Defendant’s responsive pleading was due on September 9, 2024. Defendant did not file a response as of September 10, 2024. Accordingly, the Plaintiff requests that the Clerk enter the Defendant’s default pursuant to FED. R. CIV. P. 55(a).

### **CONCLUSION**

WHEREFORE, for the reasons set forth herein, the Plaintiff respectfully requests that the Clerk of Court enter default against the Defendants pursuant to FED. R. CIV. P. 55(a).

RESPECTFULLY SUBMITTED AND DATED this September 10, 2024.

/s/ Andrew Roman Perrong  
Andrew Roman Perrong, Esq.  
Perrong Law LLC  
2657 Mount Carmel Avenue  
Glenside, Pennsylvania 19038  
Phone: 215-225-5529 (CALL-LAW)  
Facsimile: 888-329-0305  
a@perronglaw.com

**CERTIFICATE OF SERVICE**

I certify that I filed the foregoing via ECF on the below date.

I further certify that I mailed a copy of the foregoing to:

IBAN Global, LLC  
3411 Hawthorne Road  
Pocatello, ID 83201

and

LIVEFREE EMERGENCY RESPONSE, INC.  
3411 Hawthorne Road  
Pocatello, ID 83201

Dated: September 10, 2024

/s/ Andrew Roman Perrong  
Andrew Roman Perrong, Esq.  
Perrong Law LLC  
2657 Mount Carmel Avenue  
Glenside, Pennsylvania 19038  
Phone: 215-225-5529 (CALL-LAW)  
Facsimile: 888-329-0305  
a@perronglaw.com